

### **REMARKS/ARGUMENTS**

The rejections presented in the Office Action dated March 11, 2009 (hereinafter Office Action) have been considered. Claims 1-62 remain pending in the application. Claims 1, 20, 36, 55, 58, and 60 are amended herein. Claims 63-64 are added herein. No new matter has been added. Claims 2-3, 5, 7-12, 16-17, 19, 22-28, 32, 34-35, 37-38, 40, 42-47, 51-52, 54, 56-57, 59, and 61-62 are canceled herein without prejudice or disclaimer. Claims 1, 4, 6, 13-15, 18, 20-21, 29-30, 33, 36, 39-41, 48-50, 53, 55, 58, 60, and 63-64 should be pending upon entry of this amendment and response. The Applicant respectfully requests reconsideration and allowance of all claims pending after entry of this amendment and response.

The Applicant thanks the Examiner for participating in the phone interview on April 29, 2009, in which the claims and the rejections were discussed.

Claims 1-3, 9-20, 24-27, 31-39, 44-55, and 59-62 are rejected based on 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2005/0038478 by Klepfer et al. (hereinafter “Klepfer”) in view of U.S. Patent No. 7,031,773 to Levine et al. (hereinafter “Levine”). Claims 4-8, 21-23, 28-30, 40-43 and 56-58 are separately rejected based on 35 U.S.C. §103(a) as being unpatentable over Klepfer in view of Levine.

The Applicant does not acquiesce to the above listed rejections of the claims as previously presented.. However, the Applicant herein cancels independent claims 61-62 and amends independent claims 1, 20, and 36 in a *bona fide* attempt to expedite allowance of this case. It is believed that independent claims 1, 20, and 36, at least as amended, are not *prima facie* obvious in view of the rejection based on Klepfer and Levine. The rejection of these independent claims is therefore rendered moot. Withdrawal of the rejection of these claims is respectfully requested.

Each of claims 4, 6, 13-15, 18, 21, 29-30, 33, 39-41, 48-50, 53, 55, 58, and 60 depend from one of independent claims 1, 20, and 36, respectively. While the Applicant does not acquiesce to the particular rejections of these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent claims 1, 20, and 36. Therefore, the Applicant respectfully requests withdrawal of the

obviousness-type rejections of claims 4, 6, 13-15, 18, 21, 29-30, 33, 39-41, 48-50, 53, 55, 58, and 60.

To the extent the Applicant has not responded to any characterization by the Examiner of the asserted art or of the Applicant's claimed subject matter, or to any application by the Examiner of the asserted art to any claimed subject matter, the Applicant wishes to make clear for the record that any such lack of response should not be interpreted as an acquiescence to such characterizations or applications. A detailed discussion of each of the Examiner's characterizations, or any other assertions or statements beyond that provided above is unnecessary in view of the present response. The Applicant reserves the right to address in detail any such assertions or statements in future prosecution.

The Applicant respectfully submits that the application is in condition for allowance, timely notification of which is kindly requested. Authorization is given to charge Deposit Account No. 50-3581 (GUID.014US01) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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